REMARKS

Reconsideration of the pending patent application is requested in view of the Remarks below.

Claim objections

In response to the Examiner's objection to claims 4 and 11, Applicant has canceled claim 4, added new claim 14, and amended claim 11. Approval is respectfully requested.

Claim Rejection

1) The Examiner rejected claims 1-13 under 35 USC Sec. 103(a) as being obvious over <u>Root</u>. As will be explained in the following sections, Applicant respectfully traverses the Examiner's rejection.

2) <u>Brief Review of the Claimed Invention.</u>

3) The invention as claimed is directed to a method and system of targeting Internet messages to an Internet client based on the approximated client's geographical information. The invention first collects the <u>IP addresses</u> of various Internet users as they visit their web sites. It then obtains "addresses" from the Internet users, whenever possible, and transforms the addresses to latitude/longitude coordinates for the Internet users. As defined in the Application, page 5, lines 5-10, the term "address" broadly refers to any attribute or attributes that may identify a geographical point, region, area, location and latitude/longitude. Attempting to gather address and user information is commonly used by various free, or advertiser-subsidized, web-based services, even though the users are not required to provide any exact addresses or information. Nevertheless, the web sites may still manage to obtain some zip code from some of their visitors and such a zip code is all that is required to build a location-IP address correlation. Additionally, while some users may not provide any valid information at all, other users will provide some form of "addresses" to make the data points meaningful when the collection base involves a large amount of data.

4)   A lookup table can thus be generated by correlating only the IP addresses with any known addresses and latitude/longitude coordinates. The information in the lookup table can be mined to resolve multiple entry conflicts to extract the most likely position of a particular address. As such, this lookup table can be prepared, and continuously updated, all without the active participation by any Internet user, i.e. the Internet users need not provide any precise geographic or profile information. Moreover, this lookup table becomes more accurate, as more data points are continuously gathered. Building and extrapolating from this lookup table, based on an ever-expanding collection of prior web users, is one of the distinct perspectives of the claimed invention, since the build-up of the lookup table occurs without requiring any user to submit any specific geographic or profile information.

5)   When the next Internet user ("current client") visits a web server, the IP address of the current client is collected, as the IP address must be used for the web server to communicate with the client.   By comparing this current client's IP address with the already-built lookup table, the location of the current client can then be approximated. Upon approximation, a commercial message is transmitted to the current client, wherein the commercial message is more or less related to the geographical location of the current client. Again, no geographical or physical address is required from the current client, since the lookup table can approximate the location, using the IP address of the current client. Such approximation of the current client's location, without the client input, is another distinct perspective of the claimed invention.

6)   In brief, only the IP addresses from prior Internet users are collected and correlated with their Lat/Long coordinates and addresses to build the lookup table, which becomes more accurate as more users information are collected, all without the active participation of the users. When a current client access a server, its own IP address will be used to determine where the most likely physical location of the current client may be.   No geographical address or information is ever needed from the current client for the approximation to proceed.

7)   The Root Reference.

8)   By relying on Root, the Examiner seems to have misunderstood how the

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targeting is achieved. While both the claimed invention and <u>Root</u> seek to generate targeted advertisements to Internet users as their ultimate goal, the methodology used to achieve such a goal is quite different between the claimed invention and <u>Root</u>.

9)   First, <u>Root</u> does not disclose the building of a lookup table that is based on the IP addresses correlating with the collected physical addresses and lat/long coordinates of prior Internet users. According to <u>Root</u>, prior to uploading information for the first time, each participant is assigned <u>a member number</u> by filling out demographics profile information, either on-line or via mail. Each time the user uploads data, the device in <u>Root</u> relays the <u>user's member number</u> to <u>associate the data with the user</u>. (<u>Root</u>, col. 9, lines 5-9). Thus, <u>Root</u>'s participants must have already provided the demographics profile information, during initial setup, in order for <u>Root</u>'s system to send targeted messages to the participants. This is quite different from the claimed invention, where the "current client" of the claimed invention <u>does not provide, nor need to provide</u>, any information, at all, and the location of the "current client" can still be approximated based on the lookup table.

10)   In contrast to <u>Root</u>, the present invention is all done without any prior or concurrent participation from the "current client", nor from any prior users. The current client of the present invention does not need to give the system any information when visiting a web server, other than the IP address that is necessarily communicated to the server.

11)   Also, <u>Root</u> does not disclose building a lookup table by correlating the IP addresses with the collected addresses and lat/long coordinates of the prior Internet users. <u>Root</u> builds its database by getting the participants to fill out a demographics profile form, either online or by mail, prior to the participants' uploading the information for the first time. As such, <u>Root</u>'s database depends on the active participation from the users of a dedicated service to complete, whereas the lookup table of the claimed invention is built based on the IP addresses and "addresses" attributes, whenever they are available. The build-up of the lookup table of the claimed invention does not require the participation in any particular web site or web service, since data can be collected from various different sources.

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12)   Additionally, Root does not disclose any "data mining" or "extrapolating" of the lookup table that can be used to generate a most likely position for a particular IP address. In fact, Root does not have to, since Root's system already has such geographical and demographical information provided by the users. Therefore, Root's system is again quite distinguishable from the claimed invention. Without the GPS information or user's member information, Root's system cannot target the user since it would not be able to identify the user and associate the user with the user's data. Such restriction poses as a major drawback in Root's system. Quite to the contrary, the claimed invention can still achieve its targeting, since it does not rely on the GPS, nor the user's member information, to approximate the user's location.

13)   Further, Root's system depends on the GPS-based personal performance and feedback device to help download geographically and demographically targeted messages when the device is connected to the remote computer. (Root, col. 9, lines 22-28). No such GPS information, nor any GPS-based device, is used or needed by the claimed invention. As emphasized above, the claimed invention does not use or require the exact location information from the user in order to generate a targeted message. Rather, the claimed invention uses the lookup table, which itself is created without any input from the GPS or the exact address of any Internet user, to help approximate the location of the current client, based on the IP address.

14)   Finally, when the current client accesses a server, the current client according to Root must sign in using the pre-assigned member number in order for Root's system to associate the data with the user. Quite to the contrary, the claimed invention does not require such signing-in with any pre-assigned member number, since it is the IP address of the current client that is used to approximate the location. As such, the current client of the claimed invention does not need to be a pre-assigned member of any particular service, in order for the current client to be targeted with relevant Internet messages.

15)   In light of the different methodology disclosed by Root, it would not have been obvious to a person of ordinary skill in the art to modify Root's teaching to construct the claimed invention. In fact, because Root builds its database by the users' member

numbers associated with their records, <u>Root</u> teaches-away from the lookup table and the approximation aspects of the present invention. <u>Root</u> already has the member's precise demographics profile information and location as entered by the users themselves, it has no motivation to modify to construct the claimed invention. The Examiner's reliance on <u>Root</u> is thus misplaced and erroneous.

16)   Therefore, the Examiner's Sec. 103 (a) rejection based on <u>Root</u> is inappropriate and should be withdrawn, because the Examiner has failed to establish a prima facie case of obviousness. Applicant respectfully submits that the claims, as amended, are now in condition for allowance.

17)   The Examiner is encouraged to contact the undersigned Attorney to discuss any matter relating to the present application.

Respectfully submitted,

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